

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

## PCT

see form PCT/ISA/220

### WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day month year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No  
PCT/US2006/018286

International filing date (day month year)  
11.05.2006

Priority date (day month year)  
11.05.2005

International Patent Classification (IPC) or both national classification and IPC  
INV. H04L29/06 H04L29/08 H04L12/56

Applicant  
AOL, LLC

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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Date of completion of  
this opinion

see form  
PCT/ISA/210

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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of:
  - ☒ the international application in the language in which it was filed
  - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ on paper
    - ☐ in electronic form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in electronic form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes: Claims	
	No: Claims	1-25
Inventive step (IS)	Yes: Claims	
	No: Claims	1-25
Industrial applicability (IA)	Yes: Claims	1-25
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

**Re Item V.**

1. Reference is made to the following documents:

D1 : WO 2004/028178 A (RESEARCH IN MOTION LIMITED; COSKUN, RISVAN;  
OLIVER, ROBERT, D; ZHANG,) 1 April 2004 (2004-04-01)

**2. INDEPENDENT CLAIM 1**

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

Document D1 discloses (page 6 line 10 - line 17; page 7 line 3 - line 16):

A method of providing location information on a mobile device, the method comprising:  
receiving signals from external devices, each signal including information that specifies a geographic location for the external device that has provided the signal;  
calculating a geographic location for the mobile device by using the information contained in each of the received signals;  
generating a representation of the geographic location of the mobile device, wherein the representation is based on the calculated geographic location;  
including the representation of the geographic location within an electronic message that provides information describing a user of the mobile device to other users of an electronic communications system; and  
transmitting the electronic message to another device to provide an indication of the geographic location for the user to one of the other users of the electronic communications system.

**3. OTHER INDEPENDENT CLAIM 24 AND 25**

The subject-matter of claim 24 and 25 define the same features as in claim 1, but in terms of "machine-accessible medium" and "system".

For these reasons, the same reasoning as for claim 1 applies, mutatis mutandis, to the

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AUTHORITY (SEPARATE SHEET)**

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subject-matter of claim 24 and 25, which therefore are also not considered new in the sense of Article 33(2) PCT.

**4. DEPENDENT CLAIMS 2-23**

Dependent claims 2-23 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty or inventive step (Article 33(2) and (3) PCT).

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00/411,744 19 September 2002 (19.09.2002) US

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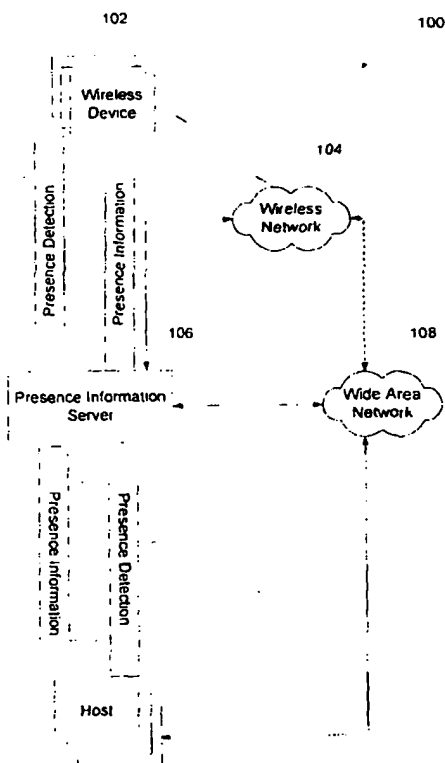
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(81) Designated States (national): AE, AG, AL, AM, AT, AU,  
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CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH,  
GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC,  
LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW,  
MX, MY, NZ, OM, PH, PL, PT, RO, RU, SC, SD, SE,  
SG, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ,  
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KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW).

[Continued on next page]

(54) Title: APPARATUS AND METHOD OF WIRELESS INSTANT MESSAGING



(57) Abstract: A system and method of transmitting instant messages to a mobile communication device via a wireless data communication network is provided. Presence information for a plurality of instant message sources is detected at an instant messaging server that couples the instant message sources to the wireless data communication network. In addition, presence information of the mobile communication device is detected at the instant messaging server. The presence information of the mobile communication device is then compared with the presence information of the instant message sources and at least one of the instant message sources is then enabled to transmit an instant message to the mobile communication device. The presence information may be supplemented to include extended state information of the mobile communication device, which is matched against a plurality of service offerings by the instant messaging server to determine which service may transmit an instant message to the mobile communication device.

WO 2004/028178 A2



US 20040260762A1

(19) **United States**(12) **Patent Application Publication**  
**Fish**(10) **Pub. No.: US 2004/0260762 A1**(43) **Pub. Date: Dec. 23, 2004**(54) **PRESENCE AND GEOGRAPHIC LOCATION NOTIFICATION BASED ON A DELEGATION MODEL.**(70) **Inventor: Edmund J. Fish, Great Falls, VA (US)**

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(21) **Appl. No.: 10/849,565**(22) **Filed: May 20, 2004****Related U.S. Application Data**(60) **Provisional application No. 60-471,743, filed on May 20, 2003.****Publication Classification**(51) **Int. Cl.<sup>7</sup> G06F 15/16**(52) **U.S. Cl. 709/201**(57) **ABSTRACT**

A user of an instant messaging system may store names of other users of the instant messaging system on a participant list (which may be referred to as a "buddy list"), and the names may be categorized into one or more groups. Similarly, a user of a mobile device, such as a mobile telephone, may store contact information about people on the mobile device. Information describing the on-line presence of the user within the instant messaging system or geographic location of a mobile device, such as a mobile telephone associated with the user system, may be disseminated to users on the participant list or people on the contact list based on notification information that is associated with groups of users or contacts. A delegation model is used to control whether a user is permitted to make modifications to the notification information.

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